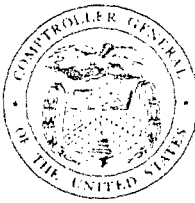


DECISION



17701
THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

FILE: B-202368

DATE: April 9, 1981

MATTER OF: International Business Investments Inc.

[Protest Concerning SBA Standard Operating Procedures]
DIGEST:

GAO will review Small Business Administration compliance with its Standard Operating Procedures governing award of 8(a) contracts only when showing of bad faith or fraud on part of Government procurement officials has been made. No such showing has been made, so protest is dismissed.

International Business Investments Inc. protests the proposed award of a contract by the Defense Mapping Agency to the Small Business Administration (SBA) and the proposed award of a subsequent contract to any firm, under section 8(a) of the Small Business Act, 15 U.S.C. § 637(a) (1976), as amended by Pub. L. 95-507, October 24, 1978, 92 Stat. 1757.

International argues that the SBA has not "performed an impact study as per their normal procedures." Impact statements are memoranda assessing, among other things, the impact on other small businesses of reserving a contract requirement for 8(a) subcontracting. SBA Standard Operating Procedures (SOP) 80-5 ¶ 52(e) (1979). They are generally performed by the Regional Administrator before a requirement is reserved. SOP 80-5 ¶ 58(i).

We recently held that we would not review alleged violations of the SBA SOP absent a showing of fraud or bad faith on the part of Government procurement officials because the SOP is primarily an internal agency guideline and may be waived or revoked. Jets Services, Inc., B-199721, March 11, 1981, 81-1 CPD ____.

Accordingly, the protest is dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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